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IN THE UNITED STATES RECEIVING OFFICE

**09/744881**

Applicant : Markus Dillinger

Serial No. : 09/744,881

Filed : January 30, 2001

Title : METHOD AND DEVICE FOR ALLOCATING CHANNELS IN A  
COMMUNICATION SYSTEM WITH CDMA SUBSCRIBER SEPARATION**BOX PCT**

Commissioner for Patents

Washington, D.C. 20231

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Responsive to the Notification of Missing Requirements under 35 U.S.C. 371  
mailed March 29, 2001, Applicant as a large entity submits herewith the following:

- Payment of the surcharge of \$130 for late filing of the declaration;
- A check in the total amount of \$260 is attached;
- A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63;
- A verified English translation of the application and payment of the \$130 fee required under 37 CFR §1.17(k); and
- Petition for One-Month Extension of Time; a check in the amount of \$110 for the extension fee.

06/29/2001 MNNGUYEN 00000039 09744881

01 FC:154  
02 FC:156130.00 OP  
130.00 OP

## CERTIFICATE OF MAILING BY EXPRESS MAIL

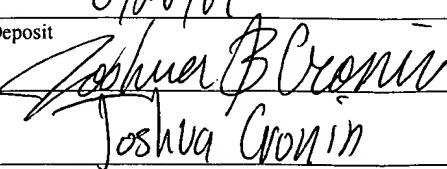
Express Mail Label No. EL694851487US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

6/26/01

Date of Deposit

Signature



Typed or Printed Name of Person Signing Certificate

Applicant : Markus Dillinge  
Serial No. : 09/744,881  
Filed : January 30, 2001  
Page : 2

Attorney's Docket No.: 12758-  
003001 / 1998P02276WOUS

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: June 6, 2001

  
Paul A. Pysher  
Reg. No. 40,780

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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Commissioner for Patents, Box PCT  
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[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/744881	DILLINGER	M 12758-003001

PAUL A PYSHER  
FISH & RICHARDSON  
225 FRANKLIN STREET  
BOSTON, MA 02110 2804

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APR 02 2001

INTERNATIONAL APPLICATION NO.

PCT/DE99/02410

I.A. FILING DATE	PRIORITY DATE
02 AUG 99	06 AUG 98

FISH & RICHARDSON, P.C.  
BOSTON OFFICE

DATE MAILED: 29 MAR 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as  a Designated Office (37 CFR 1.494)  an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.  Indication of Small Entity Status.  
 Copy of the international application.  Translation of the international application into English.  
 Oath or Declaration of inventors(s).  Translation of Article 19 amendments into English.  
 Copy of Article 19 amendments.  Other:  
 Priority Document.  Translation of Annexes to the International Preliminary Examination Report into English.  
 The International Preliminary Examination Report in English and its Annexes, if any.  Deadline: 9-29-01  
 Translation of Annexes to the International Preliminary Examination Report into English.

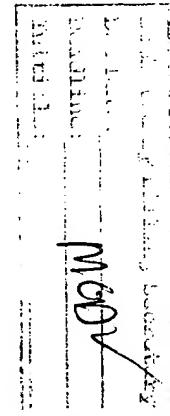
BOKETED BY Practice Systems  
Action Code: Missing Requirements  
Base Date: 3-29-01  
Due Date: 5-29-01  
Deadline: 9-29-01  
English: JMG

2.  Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

U.S. Basic National Fee.  Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 b. The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
 c. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
 d. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
 e. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
 f. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).



4. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5.  Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes MUST be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.  
7.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

FRO  
FAP



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO.

09/744881

ATTACHMENT TO FORM PCT/DO/EO/

905

**NOTICE OF DEFECTIVE TRANSLATION**

The received translation is defective because:

(1) The text in the drawings has not been properly translated;  
 (2) The number of claims in the International Application and the number of claims in the translation are not the same; IA shows 14 claims. The translation shows 1 claim.  
 (3) The translation of the International Application is incomplete as a number of pages are missing;  
 (4) Other.

Docketed By Practice Systems
Action Code: <u>Defective Transl.</u>
Base Date: <u>3-29-01</u>
Due Date: <u>5-29-01</u>
Deadline: <u>9-29-01</u>
Initial: <u>JMG</u>

Docketed by Billing System
Due Date: _____
Deadline: _____
Initials: _____

John L. Anderson JLA

Telephone: 703-308-9116